

Notice of Allowability	Application No.	Applicant(s)	
	10/645,092	SHANNON, KEVIN	
	Examiner	Art Unit	
	Lars A Olson	3617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--
 All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment received from the applicant on February 25, 2005.
2. ☒ The allowed claim(s) is/are 2-6,8,9 and 12-16.
3. ☒ The drawings filed on 21 August 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

Reasons for Allowance

1. An amendment was received on February 25, 2005.
2. Claims 1, 7, 10, 11, 17 and 18 have been canceled.
3. Claims 2-6, 8, 9 and 12-16 are allowed.
4. The following is an examiner's statement of reasons for allowance. The gravesite memorial display as claimed is not shown or suggested in the prior art because of the use of a display that is comprised of a shell with a weathertight interior, at least one fixed portion, at least one moveable portion that is coupled to said fixed portion and is moveable between a closed position and an open position, a transparent portion that is fixed to at least one of said moveable portion and said fixed portion, a latching means for securely holding said moveable portion in said closed position, a seal for forming a weathertight seal between edges of said moveable portion and said fixed portion, said seal being comprised of a rubber gasket that is fixed to at least one of said moveable portion and said fixed portion by being partially embedded within a groove, and means to maintain said display at a selected location and orientation.
5. The prior art as disclosed by Ostergaard (US 5,553,426) shows the use of a gravesite memorial display that is comprised of a shell with a watertight interior, a fixed portion, and a moveable portion that is coupled to said fixed portion by hinges, a latching means for securely holding said moveable portion in a closed position, a locking means, a seal in the form of a rubber gasket that is fixed to said fixed portion and is structured to form a watertight seal between said moveable portion and said fixed

portion, and a means for maintaining said display at a selected location and orientation.

Beroud (US 1,425,361) discloses a grave marker display with a fixed portion, a moveable portion with a transparent portion, and a plurality of downwardly extending stakes. Britton (US 1,924,149) discloses a grave marker and flower holder combination that includes at least one flower holder that is fixed to a shell or housing. However, none of the prior art cited shows or suggests the use of a gravesite memorial display that is comprised of a shell with a weathertight interior, at least one fixed portion, at least one moveable portion that is coupled to said fixed portion and is moveable between a closed position and an open position, a transparent portion that is fixed to at least one of said moveable portion and said fixed portion, a latching means for securely holding said moveable portion in said closed position, a seal for forming a weathertight seal between edges of said moveable portion and said fixed portion, said seal being comprised of a rubber gasket that is fixed to at least one of said moveable portion and said fixed portion by being partially embedded within a groove, and means to maintain said display at a selected location and orientation.

Conclusion

6. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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7. Any inquiry concerning this communication from the examiner should be directed to Exr. Lars Olson whose telephone number is (703) 308-9807.

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March 22, 2005

LARS A. OLSON
PRIMARY EXAMINER

Lars Olson
3/22/05